

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

EAUX HOLDINGS, LLC

CIVIL CASE NO. 2:20-CV-01582

*Jury Trial*

VERSUS

JUDGE JAMES CAIN

SCOTTSDALE INSURANCE CO.

MAG. JUDGE KATHLEEN KAY

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**MOTION IN LIMINE (*DAUBERT* MOTION) TO EXCLUDE THE  
TESTIMONY AND REPORT OF PLAINTIFF’S PROFFERED EXPERT,  
ANDREW VANCHIERE**

MAY IT PLEASE THE COURT:

NOW INTO COURT, through undersigned counsel, comes Scottsdale Insurance Company (“SIC”), who respectfully files this motion to exclude the report and testimony of plaintiff’s proffered expert, Andrew Vanchiere. As outlined in the supporting memorandum, Vanchiere is not qualified and not legally permitted to provide opinions of diminished property values, because Vanchiere is not a licensed appraiser. Further, Vanchiere’s opinions are unreliable, as they are not based on any identified market valuation methodology, and he bases his opinions on a fundamentally flawed assumption of the construction completion date for the property.

SIC requests, therefore, that Andrew Vanchiere be excluded pursuant to *Daubert v. Merrill Dow Pharmaceuticals, Inc.*, 509 U.S. 579, 113 S.Ct. 2786, 125 L.Ed. 2d. 469 (1993), and his expert report and testimony stricken as inadmissible.

WHEREFORE, Defendant, Scottsdale Insurance Company, respectfully prays that the Court grant its Motion in Limine (*Daubert* Motion) to Exclude the Testimony and Report of Plaintiff's Proffered Expert, Andrew Vanchiere and for any other appropriate relief.

Respectfully submitted,  
**KEOGH COX & WILSON, LTD.**



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***Counsel for Defendant,  
Scottsdale Insurance Company***

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the above and foregoing has been served this day upon all known counsel of record by placing a copy in the United States Mail, properly addressed and postage prepaid, and/or by electronic transmission and/or facsimile transmission.

Baton Rouge, Louisiana, this 8<sup>th</sup> day of September, 2021.

A handwritten signature in black ink, reading "John P. Wolff". The signature is written in a cursive style with a horizontal line extending from the end of the name.

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John Wolff